

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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RICARDO BELTRAN,

Petitioner,

v.

RENEE BAKER, et al.,

Respondents.

Case No. 3:13-cv-00048-MMD-WGC

ORDER

This action is a petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2254 by a Nevada state prisoner represented by counsel.

On July 16, 2013, the Court granted petitioner's motion for the appointment of counsel. In that order, the Court noted that the petition was filed years after the expiration of the AEDPA statute of limitations. Petitioner's counsel was given sixty (60) days within which to file a brief to show why the petition is not untimely or why petitioner is entitled to equitable tolling. Respondents were to have filed a response within twenty-eight days of petitioner's brief.¹ Thereafter, petitioner was to have 14 days to file a reply. (Dkt. no. 10.)

After obtaining extensions of time, on March 21, 2014, petitioner's counsel filed a response to the Court's order, along with exhibits in support of the response. (Dkt. nos. 19, 20, 21, 22.) Respondents did not file a response to petitioner's brief. Therefore, the

¹On June 24, 2013, Robert E. Wieland of the Nevada Attorney General's Office entered a notice of appearance on behalf of respondents. (Dkt. no. 8).

1 Court now sets a schedule for further briefing on the issues of the AEDPA statute of
2 limitations and whether petitioner is entitled to equitable tolling.


3 It is therefore ordered that, within thirty (30) days from the date of entry of this
4 order, respondents shall file a response to petitioner's brief (dkt. no. 19).

5 It is further ordered that within fourteen (14) days of being served with
6 respondents' response, petitioner shall file a reply brief.

7 It is further ordered that within thirty (30) days from the date of entry of this order,
8 petitioner's counsel shall send courtesy (paper) copies of the exhibits filed at dkt. nos.
9 20, 21, and 22 to the Reno Division of this Court. Courtesy copies shall be mailed to
10 the Clerk of Court, 400 S. Virginia St., Reno, NV, 89501, and directed to the attention of
11 "Staff Attorney" on the outside of the mailing address label.

12 It is further ordered that the parties shall send courtesy (paper) copies of all
13 further exhibits to the Reno Division of this Court, in the manner described above.

14 DATED THIS 8th day of July 2015.

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17 MIRANDA M. DU
18 UNITED STATES DISTRICT JUDGE
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